

Please return to:
Durham City-County Planning
Attn: Jacob Wiggins
101 City Hall Plaza
Durham, NC 27701

**CITY OF DURHAM
ORDER PERMANENTLY CLOSING 26,062 SQUARE FEET OF
ACADIA STREET
(SC1500007)**

WHEREAS, the Durham City Council has delegated the authority to set public hearings to the City Manager as authorized by Durham City Charter; and

WHEREAS, the City Manager set a public hearing regarding the closing of the street or alley or portion thereof that is generally described in the caption of this order and that is more fully described in **Attachment A**, attached hereto and incorporated herein for **April 4, 2016**; and

WHEREAS, the Resolution provided for the holding of a public hearing on the question of whether said street should be permanently closed; and

WHEREAS, notice of the closing of said street was sent by registered or certified mail to all owners as shown on County Tax Records of property adjoining the street to be closed; and

WHEREAS, a notice of the closing and public hearing was prominently posted in at least two places along the street to be closed; and

WHEREAS, the notice of the closing and public hearing was published once a week for four successive calendar weeks; and

WHEREAS, this matter came for hearing before the Durham City Council at its regular meeting on **April 4, 2016** meeting and all persons who desired to be heard were heard at that time.

NOW, THEREFORE, the City Council of the City of Durham having carefully considered the question of permanently closing the streets or alleys or portion thereof as it more fully described in **Attachment A**, finds:

1. That closing of the streets or alleys described in **Attachment A** is not contrary to the public interest, and
2. No individual owning property in the vicinity of the street would thereby be deprived of reasonable means of ingress or egress to his or her property.

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IT IS THEREFORE, ORDERED:

1. That the streets described in **Attachment A** are permanently closed under the authority of GS 160A-299(a).
2. That utility easements that may be referenced in **Attachment A** or shown on the plat referenced in Attachment A shall be retained by the City, and that easements owned by private utility companies that are shown on such plat be retained by the private utilities indicated.
3. That a certified copy of this Order and the plat referred to in **Attachment A** shall be filed in the Office of the Register of Deeds of Durham County, North Carolina.
4. That property owners adjacent to the closed street shall take right, title, and interest as is provided in GS 160A-299 (c), as may be further illustrated on the plat referenced in **Attachment A**.
5. That closing is conditioned on the recombination of lots deemed sufficient by the City.
6. That this Order is effective upon and after the date of its adoption as shown by the stamp of the City Clerk below.

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Attachment A

BEGINNING at a calculated corner located in the northern right-of-way of Gresham Avenue, said calculated corner being located N 89 degrees 48' 52" W 3.4 feet from the southeast corner of the property now or formerly owned by Owen W. Synan (Deed Book 324 at Page 281 of the Durham County Registry); running thence along and with the northern right-of-way of Gresham Avenue N 89 degrees 48' 52" W 42.09 feet to a calculated corner; thence further along and with the northern right-of-way of Gresham Avenue N 89 degrees 48' 52" W 89.82 feet to a calculated corner where the northern right-of-way of Gresham Avenue intersects with the southern right-of-way of Acadia Street; thence in a northerly counterclockwise direction by the arc of a curve having a radius of 20 feet a distance of 46.96 feet to a calculated corner in the southern right-of-way of Acadia Street; thence further along and with the southern right-of-way of Acadia Street N 44 degrees 21' 02" W 335.02 feet to a calculated corner; thence N 20 degrees 36' 47" E 33.11 feet to a calculated corner; thence N 20 degrees 36' 47" E 33.11 feet to a calculated corner set in the northern right-of-way of Acadia Street; thence along and with the northern right-of-way of Acadia Street south 44 degrees 21' 2" E 94.7 feet to a calculated corner; thence further along and with the northern right-of-way of Acadia Street south 44 degrees 21' 2" E 61.87 feet to a calculated corner; thence further along and with the northern right-of-way of Acadia Street S 44 degrees 21' 02" E 217.5 feet to an iron; thence further along and with the northern right-of-way of Acadia Street S 44 degrees 21' 02" E 95.75 feet to a calculated corner in the northern right-of-way of Gresham Avenue, containing 26,062 square feet and being Parcels A, B, C and G as shown on "Street Closing & Recombination Plat by Freehold Land Surveys, Inc. Dated May 15, 2015 and revised September 22, 2015 and November, 17, 2015..

As recorded in the Durham County Register of Deeds Office at Plat Book _____, Page _____.

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NORTH CAROLINA
DURHAM COUNTY

I, _____, Notary Public of the aforesaid County and State, certify that personally appeared before me this day _____ City Clerk of the City of Durham, who duly certified and acknowledged that the foregoing constitutes a true and accurate copy of the order adopted by the City Council of the City of Durham at its meeting held _____, 20____, as the same is taken from and compared with the recordation of said order in Ordinance Book _____, at Pages _____, in the Office of the City Clerk.

Witness my hand and notarial seal, this _____ day of _____, 20_____.

Notary Public

My Commission Expires:

The foregoing certificate of _____, notary public of _____ County, NC, is certified to be in due form and correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on this instrument.

WILLIE L. COVINGTON, REGISTER OF DEEDS
FOR DURHAM COUNTY, NORTH CAROLINA

By _____
Deputy Register of Deeds